## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

JAMES KELLY MONROE (AIS# 167435).

Plaintiff.

V.

CIVIL ACTION: 2:06CV-928-MEF

OFFICER L. THOMAS, et al.

Defendants.

## **DEFENDANT PRISON HEALTH SERVICES SECOND** SUPPLEMENTAL FILING TO THEIR SPECIAL REPORT AND FILINGS REQUESTED PURSUANT TO COURT'S ORDER

COME NOW Defendants, Prison Health Services, Inc., Paul Corbier, M.D., Eugene Lysykanycz, L.P.N., and Cheryl Webb, by and through counsel, and, pursuant to this Court's Order dated February 1, 2007, the Defendants do submit the following supplement to their Special Report concerning the following documents:

- 1. The most recent standard ADOC enemy verification/intermediate alert form prepared on behalf of Plaintiff and Inmate Andre Jolly.
  - 2. Affidavit of Michelle Sagers, Health Services Administrator.

Respectfully submitted,

/s/ PAUL M. JAMES, JR.

Alabama State Bar Number JAM017 Attorney for Defendants Prison Health Services, Inc., Paul Corbier, M.D., Eugene Lysykanycz, L.P.N., and Cheryl Webb

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A. P. O. Box 270 Montgomery, AL 36101-0270

Telephone: (334) 206-3148

Fax: (334) 262-6277 E-mail: pmj@rsjg.com

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail

this the 5<sup>th</sup> day of February, 2007, to:

James K. Monroe (AIS# 167435) Staton Correctional Facility P. O. Box 56 Elmore, AL 36025

Jeffery H. Long, Esq. Assistant Attorney General Office of the Attorney General 11 South Union Street Montgomery, AL 36130

> /s/ PAUL M. JAMES, JR. (JAM017) Attorney for Defendants Prison Health Services, Inc., Paul Corbier, M.D., Eugene Lysykanycz, L.P.N., and Cheryl Webb

## ENEMIES LIST

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BOC #252

## ENEMY VALIDATION COMMITTEE

FROM: Wanda Worthey, Classification Spec. DATE: 01/19/2007
RE: Monroe, James BM#167435
TO: Institutional Enemy Validation Committee Staton Correctional Facility
The inmate referenced above has claimed the following inmate(s) as being his enemy (ies):  Jolly, Andre BM#128255
For reason(s) indicated below:
On September 4, 2006, while both subject's were assigned to Staton Correctional Facility, inmate Andre Jolly (BM#128255) did stab inmate James Monroe (BM#167435) in the back and right elbow with a prison made knife.
Please review and render a decision as to whether or not this is a valid enemy situation.
FROM: Institutional Enemy Validation Committee Staton Correctional Facility
TO: Classification Coordinator Staton Correctional Facility
After a judicious review of the above referenced matter, the following decision is rendered:
It is in the best interest of institutional security that the two aforementioned inmates not be housed in the same population. This is determined to be a valid enemy situation.
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#### ENEMIES LIST

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BOC #252

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# ENEMY VALIDATION COMMITTEE

FROM: Wanda Worthey, Classification Spec. DATE: 01/19/2007	
RE: Crim, Vincent BM#167807	
TO: Institutional Enemy Validation Committee Staton Correctional Facility	
The inmate referenced above has claimed the following inmate(s) as being his enemy Jolly, Andre BM#128255	(ies):
For reason(s) indicated below:	
On September 4, 2006, while both subject's were assigned to Staton Correctional Facility, inmate Andre Jolly (BM#128255) did stab inmate Vincent Crim (BM#167807) in the right hand with a prison made knife.	
Please review and render a decision as to whether or not this is a valid enemy situation	)(). Няковичения
FROM: Institutional Enemy Validation Committee Staton Correctional Facility	
TO: Classification Coordinator Staton Correctional Facility	
After a judicious review of the above referenced matter, the following decision is rende	red:
It is in the best interest of institutional security that the two aforementioned inmates no be housed in the same population. This is determined to be a valid enemy situation.	<u>t</u>
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BOC #252

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# ENEMY VALIDATION COMMITTEE

ROM:	Wanda Worthey, Classification Spec.	DATE:	01/19/2007	,
₹#:	Grant, Michael BM#152447			_
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The ini	mate referenced above has claimed the Andre BM#128255		nate(s) as being his ener	ny (ies): - -
	ason(s) indicated below:			_
	September 4, 2006, while both subject's ity, inmate Andre Jolly (BM#128255) did #152447) in the neck and upper arm with	i alab ninner-		
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FROM	Staton Correctional Facility			
9	lassification Coordinator Staton Correctional Facility			
After a	a judicious review of the above reference	ed matter, the	e following decision is rer	ndered:
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### IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

JAMES KELLY MONROE, (AIS #167435),

Plaintiff.

V.

2:06-CV-928-MEF

OFFICER L. THOMAS, et al.

Defendants.

## AFFIDAVIT OF MICHELLE SAGERS, HEALTH SERVICES **ADMINISTRATOR**

BEFORE ME, Annie Latimore, a notary public in and for said County and State, personally appeared MICHELLE SAGERS, HEALTH SERVICES ADMINISTRATOR, and being duly sworn, deposed and says on oath that the averments contained in the foregoing are true to the best of her ability, information, knowledge and belief, as follows:

"My name is Michelle Sagers. I am over the age of twenty-one and am personally familiar with all of the facts set forth in this Affidavit. I have an Associates Degree in Nursing from Montgomery College in Takoma Park, Maryland and a Bachelor's Degree in Health Information Management from Alabama State University in Montgomery. Since 1998, I have practiced as a registered nurse in a variety of positions and settings. I have been employed as the Health Services Administrator since July 17, 2006 for Staton Correctional Facility by Prison Health Services, Inc., the company which currently contracts with the Alabama Department of Corrections to provide medical services to inmates.

It is my understanding that James Kelly Monroe has filed suit in this matter alleging that PHS has failed to provide him with appropriate medical treatment subsequent to being involved in an altercation with an inmate on September 4, 2006. Sometime after the above incident, I spoke with Mr. Monroe and he requested a copy of his medical records. I informed Mr. Monroe that I could not give him a copy of his medical records and advised him that he needed to discuss his request with the Warden. I have had very limited involvement with this matter and I was not involved with the medical care or treatment of James Kelly Monroe in any way.

Further affiant sayeth not.

MICHELLE SAGERS

HEALTH SERVICES ADMINISTRATOR

STATE OF ALABAMA )

COUNTY OF E/move )

Sworn to and subscribed before me on this the \_

15\_\_\_ day

ucyy, 2007.

Notary Public

My Commission Expires:

12/06/2008